

Application No.: 10/773,003
Response to Office Action of September 7, 2005
Attorney Docket: GENLC-008B

REMARKS

This is in response to the Office Action dated September 7, 2005, in which the Examiner provisionally rejected Claims 31, 34-36 and 38-41 under 35 U.S.C. § 101 as claiming the same invention as that of Claims 39, 40-42 and 43-46 of copending Application No. 10/384,110, now allowed (but not yet issued). Furthermore, the Examiner provisionally rejected Claims 32 and 37 under the judicially created doctrine of "obviousness-type" double patenting as being unpatentable over Claims 38 and 40 of copending Application No. 10/384,110. The Examiner also provisionally rejected Claims 31 and 32 as being unpatentable over Claims 48, 51-53, and 55-56 of copending Application No. 10/384,110.

By the present amendment to the claims, Applicant has cancelled Claims 31, 34-36, and 38-41. Further, Applicant has filed a terminal disclaimer to overcome the "obviousness-type" double patenting rejections. Additionally, Applicant has amended Claim 32, 37, 44 and 45 to include all of the features set forth in now cancelled Claim 31. Therefore, Applicant respectfully submits that Claim 32, 37, 44 and 45 are now in condition for allowance, and requests that the provisional rejections of the same be withdrawn. To the extent that Claims 46 and 47 depend from allowable base claims and further define and recite additional features of the present invention, Applicant respectfully submits that such claims are now in condition for allowance. Reconsideration and withdrawal of the provisional rejections of Claims 46 and 47 is respectfully requested.


Application No.: 10/773,003
Response to Office Action of September 7, 2005
Attorney Docket: GENLC-008B

On the basis of the foregoing, Applicant respectfully submits that each and every pending claim of the present invention meets the requirements for patentability and respectfully requests that the Examiner indicate the allowance of Claims 32, 37, 44, 45, 46, and 47 of the present application. An early Notice of Allowance is therefore respectfully requested. If any additional fee is required, please charge Deposit Account Number 19-4330.

Respectfully submitted,

Date: 11/09/05

By:



Customer No.: 007663

William J. Brucker
Registration No. 35,462
STETINA BRUNDA GARRED & BRUCKER
75 Enterprise, Suite 250
Aliso Viejo, California 92656
Telephone: (949) 855-1246
Fax: (949) 855-6371

WJB:SSS
T:\Client Documents\GENLC\008b\Response to 9-7-05 Office Action.doc